

REMARKS

Claims 1-17 remain pending in the present application. Claims 1, 3 and 7 have been amended. Claims 11-17 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Newton (U.S. Pat. No. 3,701,264). Applicant respectfully traverses this rejection.

Newton (U.S. Pat. No. 3,701,264) discloses a conical head 104 (needle valve) which is movable to control the opening angle of the throat portion 28'. As stated in column 5, lines 20-28, conical head 104 meters the flow in flow paths 25' and 26'.

Claims 1 and 7 have been amended to define that the adjustment unit is disposed to adjust both the opening degree of the throat portion and an opening degree of an outlet of the nozzle. As stated in column 2 in relation to Figure 1 (and Figure 3 which includes the same numbers with a single prime indication), the nozzle 22 (22') is contoured by respective converging – diverging internal flow paths 25 and 26 (25' and 26') in which the minimum cross-sectional area at 28 (28') is sufficiently small, relative to the outlet area and other dimensions at 30 (30').

Newton clearly defines the outlet as the end of the nozzle 22 (22') indicated at 30 (30'). Conical head 104 (needle valve) does not extend to the outlet of the nozzle and thus it is not able to adjust both the opening degree of the throat portion and the opening degree of the outlet of the nozzle as is now defined in amended Claims 1 and 7.

Thus, Applicant believes Claims 1 and 7, as amended, patentably distinguish over the art of record. Likewise, Claims 2-6 and 8-10, which ultimately depend from Claim 1 or Claim 7, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIMS

New Claims 11-16 are dependent claims that depend from and are believed to properly further limit Claims 1 or 7 and are thus believed to be allowable.

New Claim 17 is a new independent claim similar to amended Claim 1 but includes the limitation that both the opening degree of the throat portion and the opening degree of an outlet area of the nozzle are adjusted. As defined by Newton, conical head 104 does not disclose, teach or suggest adjusting the opening degree of the outlet area.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

By:


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